

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

MICHAEL J. STUMPF,

Plaintiff,

v.

NOVARTIS PHARMACEUTICALS
CORPORATION,

Defendant.

Civil Action No. 09-6574 (SDW)

ORDER

May 20, 2010

**ORDER ADOPTING THE REPORT AND RECOMMENDATION
OF THE MAGISTRATE JUDGE**

This matter comes before the Court on the Report and Recommendation ("R&R") of United States Magistrate Judge Madeline C. Arleo filed April 21, 2010, regarding Plaintiff's motion to remand to the Superior Court of New Jersey, Law Division, Morris County, and for costs and fees pursuant to 28 U.S.C. § 1447(c). Defendant opposes the motion. No objections to the R&R were filed.

The Court has reviewed the R&R and the briefs and documents on file in this matter. Based on the foregoing, and for good cause shown,

IT IS, on this 20th day of May, 2010,

ORDERED that the R&R of Magistrate Judge Arleo filed April 21, 2010, is **ADOPTED** as the conclusions of law of this Court; and it is further

ORDERED that Plaintiff's motion seeking to remand the pending matter (Docket Entry No. 6) is **GRANTED**; and it is further

ORDERED that Plaintiff's request for an award of attorney's fees and costs pursuant to 28 U.S.C. § 1447(c) is **DENIED**.

s/ Susan D. Wigenton, U.S.D.J.

cc: Magistrate Judge Madeline C. Arleo